

EXHIBIT C

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CYNTHIA RUSSO, LISA BULLARD,
RICARDO GONZALES, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS LOCAL 38 HEALTH AND
WELFARE FUND, INTERNATIONAL
UNION OF OPERATING ENGINEERS
LOCAL 295-295C WELFARE FUND, AND
STEAMFITTERS FUND LOCAL 439, on
Behalf of Themselves and All Others Similarly
Situated,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

Civil No. 17-cv-2246

Judge Edmond E. Chang
Magistrate Judge Sheila Finnegan

**DECLARATION OF ANTHONY R.
TODD**

I, Anthony R. Todd, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am counsel at the law firm of Reed Smith LLP and am admitted to practice before this Court. I submit this Declaration in support of Defendant Walgreen Co.'s ("Walgreens") Opposition to Plaintiffs' Motion to Exclude James W. Hughes' Expert Report and Testimony Under Federal Rule of Evidence 702. I have personal knowledge of the facts set forth herein and could testify competently to them if called to do so.

2. I was one of the attorneys at Reed Smith who worked with Professor James W. Hughes ("Professor Hughes") and his team at Analysis Group, Inc. ("Analysis Group") as he prepared his expert report submitted in this case.

3. I provided Professor Hughes and Analysis Group with a variety of documents produced in discovery in this case during the course of that preparation.

4. In January of 2023, Professor Hughes's team at Analysis Group requested to see portions of various data sets produced in the case to facilitate their analysis. As the underlying data sets contain billions of transactions, they asked to receive an extract of the transaction data. Neither Professor Hughes nor anyone at Analysis Group made any specific requests as to the contents of the data or the nature of the particular transactions to be included in the extract.

5. On January 24, 2023, attorney Kristin Parker, also of Reed Smith, and I contacted Mr. William Downs at Ankura Consulting Group ("Ankura"). We requested that Ankura prepare an extract of three of the data sets produced in the case. While we informed Mr. Downs that the extract was for Professor Hughes and his team, we did not instruct Mr. Downs with respect to how to extract the data or how many or which transactions to extract.

6. On January 26, 2023, Mr. Downs provided us with three spreadsheets. Each spreadsheet contained 100 transactions drawn from the three data sets that we had previously identified.

7. On January 31, 2023, I transmitted the three spreadsheets provided by Mr. Downs to Professor Hughes and Analysis Group. I did not provide any information to Professor Hughes or to anyone at Analysis Group as to how the three extracts had been created.

8. Those three spreadsheets and the data extracts contained therein are the documents referred to in relation to Figures 5, 6, and 7 in the Amended Expert Report of James W. Hughes, Ph.D., dated April 27, 2023.

Executed on this 14th day of September, 2023, in Lakeside, Michigan.

/s/ Anthony R. Todd
Anthony R. Todd